

Slade R. Metcalf  
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*Attorneys for Plaintiff HarperCollins Publishers L.L.C.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HARPERCOLLINS PUBLISHERS L.L.C., :  
: Plaintiff, : Case No. 10 CIV 8782 (PGG)  
: :  
: - against - :  
: :  
GAWKER MEDIA LLC, :  
: Defendant. :  
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**DECLARATION OF SLADE R. METCALF**

I, SLADE R. METCALF, declare as follows:

1. I am an attorney duly admitted to this Court and am a partner at the law firm of Hogan Lovells US LLP, counsel for plaintiff HarperCollins Publishers L.L.C. (“HarperCollins”). I submit this declaration in support of HarperCollins’ application for a temporary restraining order and preliminary injunction.

2. On November 19, 2010, HarperCollins filed a complaint against defendant Gawker Media LLC (“Gawker”) in this Court (the “Complaint”). A true and correct copy of the Complaint is annexed hereto as Exhibit 1.

3. After filing the Complaint, Rachel F. Strom, an associate at my firm acting under my supervision and control, contacted Gaby Darbyshire, the Chief Operating Officer, Legal Director, and Director of Business Development at Gawker.

4. Ms. Strom informed Ms. Darbyshire that HarperCollins had filed the Complaint

and that HarperCollins, on November 20, 2010, would be seeking a temporary restraining order requiring Gawker to remove twenty-one pages of the book *America By Heart*, written by Sarah Palin, from Gawker's website located at <http://www.gawker.com>. Ms. Strom further said that my firm would notify Gawker when an appearance before a U.S. District Judge was scheduled.

I declare under penalty of perjury under the laws of the United States of America and the State of New York that the foregoing is true and correct and that this declaration was executed on November 19, 2010.



Slade R. Metcalf

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